

# WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PERSONNEL

DATE: FEBRUARY 7, 2013

---

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS TAYLOR  
KENNY  
SOKOL  
MERLINO  
MONTESI  
STRAINER  
GIRARD  
MASON

**OTHERS PRESENT:**

JOAN SADY, CLERK OF THE BOARD  
JOANN MCKINSTRY, ASSISTANT TO THE COUNTY ADMINISTRATOR  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISORS BENTLEY  
CONOVER  
FRASIER  
MCDEVITT  
WOOD  
PATRICIA AUER, DIRECTOR, PUBLIC HEALTH/PATIENT SERVICES  
KATHY BARRIE, PERSONNEL OFFICER  
CHRISTIE SABO, DIRECTOR, OFFICE FOR THE AGING  
MIKE SWAN, COUNTY TREASURER  
DON LEHMAN, *THE POST STAR*  
THOM RANDALL, *ADIRONDACK JOURNAL*  
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

---

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR DICKINSON

---

Mr. Taylor called the meeting of the Personnel Committee to order at 9:00 a.m.

Motion was made by Mr. Strainer, seconded by Mr. Girard and carried unanimously to approve the minutes from the prior Committee meeting, subject to correction by the Clerk of the Board.

Copies of the agenda were distributed to the Committee members and a copy of same is on file with the minutes.

Commencing the agenda review with the Action Agenda section, Mr. Taylor addressed Item 1, outlining a request from the Personnel/Civil Service Office to amend Resolution No. 100 of 2012 to update the Schedule "A" document to add and remove positions, and he asked Kathy Barrie, Personnel Officer, to expound upon the request. Mrs. Barrie explained that Resolution No. 100 of 2012 included a listing of exempt positions, as defined by the Fair Labor Standards Act, which were not eligible for overtime pay and she noted that the listing was reviewed by the County Attorney's Office periodically to ensure the positions identified fit the specified criteria. She advised that employees filling the exempt positions were only required to punch in once per day to show an entry in the time and attendance system, and she further advised that additional daily punches were not encouraged because hours worked beyond the specified daily work schedule could be construed as overtime. Mrs. Barrie stated that changes to the listing of exempt positions were typically made on an annual basis to add newly created positions, or delete those that were eliminated. An updated outline of the requested changes to the Schedule "A" exempt position listing was distributed, which Mrs. Barrie proceeded to review, as follows:

Titles to be added to the Schedule "A" -

- Deputy Self Insurance Administrator
- Fire Coordinator/Director of OES (*Office of Emergency Services*)
- Fourth Deputy Fire Coordinator/WMD/Hazmat
- STOP-DWI Coordinator/Traffic Safety Board Executive Director

Titles to be deleted from the Schedule "A" -

- Planning GIS (*Geographic Information System*) Coordinator
- Assistant Planning Director
- County Youth Director

(Subsequent to the meeting the Human Services Director position was also identified for deletion)

Mr. Montesi questioned whether overtime pay had been provided to the positions included on the Schedule "A" document previously, and Mrs. Barrie responded in the negative, advising that the initial resolution approving the use of the exempt listing dated back many years, but required periodic updates to maintain accuracy. Mrs. Barrie noted that the County Attorney's Office was reviewing a few more positions which might fit the exempt criteria, requiring additional updates to the Schedule "A" listing; she advised that due to the ambiguous nature of the Fair Labor Standards Act, they preferred to perform a thorough review of the positions before making any status changes that could lead to an accrual of overtime hours and a substantial payout by the County if the decision was later overturned. Mrs. Barrie concluded that she may return to request additional updates in the future, if necessary, once the County Attorney's Office had completed their review.

Motion was made by Mr. Mason, seconded by Mr. Montesi and carried unanimously to approve the request to amend Resolution No. 100 of 2012 to include updates to the Schedule "A" document, as outlined above, and the necessary resolution was authorized for the February 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Continuing to Item 2, Mr. Taylor apprised of a request from the Clerk of the Board to amend Resolution No. 756 of 2012 to update the Schedule "A" document to include updated information. Joan Sady, Clerk of the Board, explained that this resolution pertained to the standard work day and time reporting resolution for all elected and appointed officials for retirement purposes and she advised that an update was necessary to include activity reports for the Fire and EMS (Emergency Medical Services) Coordinators which were not included in the prior resolution, as well as to correct a few other reporting errors.

Motion was made by Mr. Kenny, seconded by Mr. Strainer and carried unanimously to approve the request to amend Resolution No. 756 of 2012 and the necessary resolution was authorized for the February 15<sup>th</sup> Board meeting.

Mr. Taylor announced that agenda Item 3 consisted of referrals from the Health Services Committee. Item 3A, he said, was a request from the Public Health/Patient Services Division to authorize salary adjustments for two Nurses whose current salaries were below what was allowed by the CSEA contract, based upon professional experience, thereby amending the Departmental Table of Organization accordingly.

Motion was made by Mr. Sokol, seconded by Mr. Girard and carried unanimously to approve the request and the necessary resolution was authorized for the February 15<sup>th</sup> Board meeting. *A copy of the request is on file with the minutes.*

Item 3B, Mr. Taylor continued, consisted of a request to rescind Resolution No. 497 of 2012 and authorize the Board of Supervisors to fill the vacant Director of Nursing position at the Westmount Health Facility at an Annual Salary of \$85,000, thereby amending the Departmental Table of Organization.

Motion was made by Mr. Montesi and seconded by Mr. Kenny to approve the requests.

Mrs. Sady noted that the motion should be amended to include contingencies requested by the Health Services Committee to make filling of the position dependent upon successful completion of a background check and approval by the NYSDOH (New York State Department of Health), as well as to include a provision for three weeks of vacation leave.

Messrs. Montesi and Kenny agreed to amend their motion and second to include the aforementioned contingencies. Mr. Taylor called the question and the motion was carried by unanimous vote, thereby authorizing the necessary resolutions for the February 15<sup>th</sup> Board meeting. *Copies of both the resolution*

*request form and the Notice of Intent to Fill Vacant Position form are on file with the minutes.*

Mr. Taylor apprised that agenda Item 4 included a referral from the Human Services Committee, Office for the Aging, requesting to fill the vacant position of Meal Site Cook #8 at the Chester mealsite, Grade 2, Annual Base Salary of \$18,730 (part-time, 30 hours per week), due to resignation. He noted this was a non-mandated, Union position which received 12% Federal reimbursement and he pointed out that the filling of this position would result in a decrease of \$3,910 to the County budget as the Director of the Office for the Aging intended to reduce the associated work hours to 25 hours (5 per day instead of 6), thereby amending the Departmental Table of Organization.

Motion was made by Mr. Strainer, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolutions were authorized for the February 15<sup>th</sup> Board meeting. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

Concluding the agenda review, Mr. Taylor announced there were no Pending Items to address.

There being no further business to come before the Committee, on motion made by Mr. Montesi and seconded by Mr. Merlino, Mr. Taylor adjourned the meeting at 9:08 a.m.

Respectfully submitted,  
Amanda Allen, Deputy Clerk of the Board